

# United States District Court

Southern

DISTRICT OF

New York

49 WB, LLC

## SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

**JUDGE KARAS**

VILLAGE OF HAVERSTRAW, VILLAGE OF  
HAVERSTRAW BOARD OF TRUSTEES,  
FRANCIS J. "BUD" WASSMER, FRANCISCO  
BATISTA, RAFAEL BUENO, MICHAEL KOHUT,  
EVELYN RODRIQUEZ. and JOHN DOE and

**08 CIV. 5784**

TO: (Name and address of defendant)

FRANCISCO BATISTA  
40 NEW MAIN STREET  
HAVERSTRAW, NY 10927

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Feerick Lynch MacCartney, PLLC  
By: J. David MacCartney  
96 South Broadway  
South Nyack, NY 10960

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL MANNON

**JUN 27 2008**

CLERK

DATE

(BY) DEPUTY CLERK

*JH*

AO 440 (Rev. 10/93) Summons In a Civil Action -SDNY WEB 4/99

**RETURN OF SERVICE**

Service of the Summons and Complaint was made by me <sup>1</sup>	DATE 6/30/08 2:45 pm
NAME OF SERVER (PRINT) Tim O'Connor	TITLE Investigator
Check one box below to indicate appropriate method of service	
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____	
<input checked="" type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left <u>Office of the Village Clerk</u> by <u>Beverly Swift, Village of Haverstraw, 40 Main St. Haverstraw NY</u>	
<input type="checkbox"/> Returned unexecuted: _____ _____ _____	
<input type="checkbox"/> Other (specify): _____ _____ _____	

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 6/30/08  
Date

Tim O'Connor  
Signature of Server

143 Main Str. Nyack NY  
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.